



B

1646

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: GREENE et al.

Application No.: 08/469,637 -Conf.#6536

Group Art Unit: 1646

Filed: June 6, 1995

Examiner: Pak, Michael D.

Title: Human Tumor Necrosis Factor Receptor

Attorney Docket No.: PF172P1

**TRANSMITTAL LETTER**

**Mail Stop Issue Fee**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

It has come to Applicants' attention that the Third Supplemental Information Disclosure Statement (IDS) and accompanying Form PTO-1449, hand-delivered on October 31, 2000, has not been acknowledged by the Examiner. The USPTO PAIR system indicates that this IDS was received on October 31, 2000. Accordingly, as the IDS was properly submitted on October 31, 2000, Applicants respectfully request that the references be considered by the Examiner, and an Examiner-initialed copy of the October 31, 2000 Form PTO-1449 be provided to Applicants for their records. For the Examiner's convenience, Applicants enclose herewith:

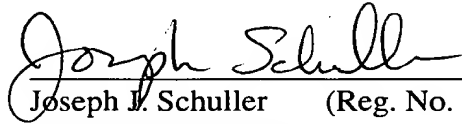
- (1) copies of the following papers filed on October 31, 2000:
  - a. Transmittal letter;
  - b. PTO Fee Transmittal (Form PTO/SB/17);
  - c. Third Supplemental Information Disclosure Statement and Statement Under 37 C.F.R. §1.97(e)(1);
  - d. Form PTO-1449 (2 sheets);
  - e. Three (3) References (AM1, AT19, and AR20); and
  - f. Petition Under 37 C.F.R. §1.97(d); and

- (2) a printout from the private online USPTO PAIR system showing receipt of the IDS on October 31, 2000 (Item 53).

Applicants believe that there are no fees due in connection with the filing of this submission. However, should a fee be due, please charge such fee to our Deposit Account No. 08-3425.

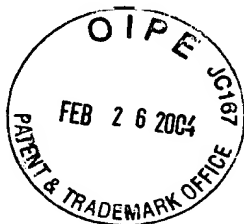
Respectfully submitted,

Dated: February 26, 2001

  
Joseph J. Schuller (Reg. No. 48,708)  
Agent for Applicants

**Human Genome Sciences, Inc.**  
9410 Key West Avenue  
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KKH/MJH/JS/mr



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREENE *et al.*

Appl. No. 08/469,637

Filed: June 6, 1995

For: **Human Tumor Necrosis Factor  
Receptor**

Art Unit: 1646

Examiner: M. Pak

Atty. Docket: 1488.0710001/EKS/KRM

**Third Supplemental Information Disclosure Statement  
and Statement Under 37 C.F.R. § 1.97(e)(1)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is submitted herewith. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on September 3, 1998 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is

further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

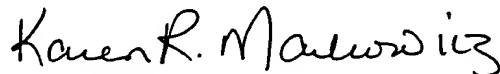
This Third Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith.

I hereby state that each item of information contained in this Third Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Third Supplemental Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Karen R. Markowicz  
Agent for Applicants  
Registration No. 36,351

Date: 10/31/00

1100 New York Avenue, N.W.  
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\*BAR OTHER THAN D.C.  
\*\*REGISTERED PATENT AGENTS

October 31, 2000

WRITER'S DIRECT NUMBER:

(202) 371-2637

INTERNET ADDRESS:

KAREN@SKGF.COM

Art Unit 1646

Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Utility Patent Application  
Appl. No. 08/469,637; Filed: June 6, 1995  
For: **Human Tumor Necrosis Factor Receptor**  
Inventors: Greene *et al.*  
Our Ref: 1488.0710001/EKS/KRM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal (Form PTO/SB/17) (*in duplicate*);
2. Third Supplemental Information Disclosure Statement and Statement Under 37 C.F.R. §1.97(e)(1) (*in duplicate*);
3. Form PTO-1449 (2 sheets);
4. Three (3) References (AM1, AT19 and AR20);
5. Petition Under 37 C.F.R. §1.97(d);
6. Check No. 29298 for \$130.00 for Petition Under 37 C.F.R. §1.97(d); and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
October 31, 2000  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

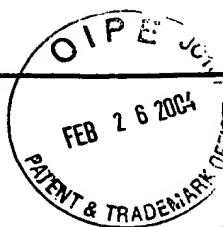


Karen R. Markowicz  
Agent for Applicants  
Registration No. 36,351

KRM:ayh  
Enclosures

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SKGF Rev. 4/27/00 mac

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$130.00)

## Complete if Known

Application Number	08/469,637
Filing Date	June 6, 1995
First Named Inventor	Greene et al.
Examiner Name	M. Pak
Group Art Unit	1646
Attorney Docket No.	1488.0710001

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims \_\_\_\_\_ - 20\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Indep. Claims \_\_\_\_\_ - 3\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Multiple Dependent \_\_\_\_\_ = \_\_\_\_\_

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130.00)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)

Karen R. Markowicz

Registration No.  
(Attorney/Agent)

36,351

Telephone

202-371-2600

Signature

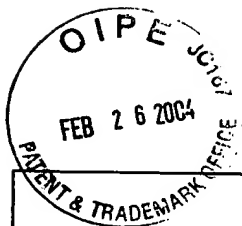
Karen R. Markowicz

Date

10/31/00

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FORM PTO-1449

## THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
1488.0710001APPLICATION NO.  
08/469,637APPLICANT  
Greene *et al.*FILING DATE  
June 6, 1995GROUP  
1646

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM1	EP 0 816 380	01/07/1998	Europe			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

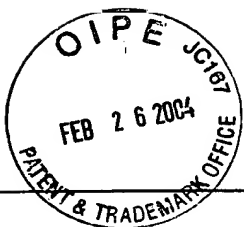
	AR		
	AS		
	AT	19	Kohno, T. <i>et al.</i> , "A second tumor necrosis factor receptor gene product can shed a naturally occurring tumor necrosis factor inhibitor," <i>Proc. Natl. Acad. Sci. USA</i> 87:8331-8335 (1990)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.





FORM PTO-1449

## THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
1488.0710001

APPLICATION NO.  
08/469,637

APPLICANT  
Greene *et al.*

FILING DATE  
June 6, 1995

GROUP  
1646

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>20</u>	Schall, T.J. <i>et al.</i> , "Molecular Cloning and Expression of a Receptor for Human Tumor Necrosis Factor," <i>Cell</i> 61:361-370 (1990)
AS		
AT		

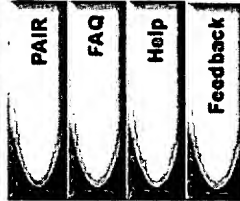
EXAMINER

DATE CONSIDERED

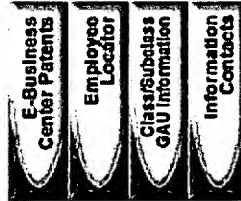
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



## PATENT APPLICATION INFORMATION RETRIEVAL



### Other Links



Search results for application number:08/469,637				
Application Number:	08/469,637	Customer Number:	22195	
Filing or 371(c) Date:	06-06-1995	Status:	Allowed -- Notice of Allowance Mailed -- Issue Revision Completed	
Application Type:	Utility	Status Date:	12-15-2003	
Examiner Name:	PAK, MICHAEL D	Location:	BOARD OF INTERFERENCES - CG2-10C15 - 308-9797	
Group Art Unit:	1646	Location Date:	01-08-2004	
Confirmation Number:	6536	Earliest Publication No:	-	
Attorney Docket Number:	1488.0710001	Earliest Publication Date:	-	
Class/ Sub-Class:	435/069.1	Patent Number:	-	
First Named Inventor:	JOHN M. GREENE, GAITHERSBURG, MD (US)	Issue Date of Patent:	-	
Title Of Invention:	HUMAN TUMOR NECROSIS FACTOR RECEPTOR			

Select Search Option

Continuity Data  
Patent Term Extension History  
Publication Review

Search

File History		
Number	Date	Contents Description
78	12-15-2003	Mail Notice of Allowance
77	12-15-2003	Mail Formal Drawings Required
76	12-15-2003	Formal Drawings Required
75	12-15-2003	Notice of Allowance Data Verification Completed
74	12-15-2003	Notice of Allowability
73	10-01-2003	Mail Letter of Suspension
72	09-30-2003	Letter of Suspension - Examiner Initiated
71	06-09-2003	Date Forwarded to Examiner

70	06-09-2003	to Close the A/R Record and Reset the Status for Expired Suspensions.
69	02-12-2003	Information Disclosure Statement (IDS) Filed
68	12-05-2002	Mail Miscellaneous Communication to Applicant
67	12-05-2002	Miscellaneous Communication to Applicant - No Action Count
66	11-18-2002	Mail Letter of Suspension
65	11-17-2002	Letter of Suspension - Examiner Initiated
64	10-30-2002	Date Forwarded to Examiner
63	10-30-2002	to Close the A/R Record and Reset the Status for Expired Suspensions.
62	09-26-2002	Correspondence Address Change
61	09-27-2002	Change in Power of Attorney (May Include Associate POA)
58	12-18-2001	Mail Letter Suspending Prosecution at Applicant's Request
57	12-18-2001	Letter of Suspension - Applicant Initiated
56	10-11-2001	Date Forwarded to Examiner
55	10-09-2001	to Close the A/R Record and Reset the Status for Expired Suspensions.
54	01-11-2001	Date Forwarded to Examiner
53	10-31-2000	Information Disclosure Statement (IDS) Filed
52	05-09-2000	Miscellaneous Incoming Letter
51	06-06-1995	Initial Exam Team nn
50	11-09-1999	Miscellaneous Incoming Letter
49	05-24-1999	Mail Letter of Suspension
48	05-24-1999	Letter of Suspension - Examiner Initiated
47	05-21-1999	Mail Miscellaneous Communication to Applicant
46	05-21-1999	Miscellaneous Action with SSP
45	02-17-1999	Examiner Interview Summary Record (PTOL - 413)
44	02-10-1999	Date Forwarded to Examiner
43	02-04-1999	Amendment after Final Rejection
42	01-21-1999	Examiner Interview Summary Record (PTOL - 413)
41	11-24-1998	Mail Final Rejection (PTOL - 326)
40	11-23-1998	Final Rejection
39	09-03-1998	Information Disclosure Statement (IDS) Filed
38	09-17-1998	Date Forwarded to Examiner
37	09-03-1998	Response after Non-Final Action
36	06-29-1998	Miscellaneous Incoming Letter
35	06-03-1998	Mail Non-Final Rejection
34	06-03-1998	Non-Final Rejection
33	03-25-1998	Examiner Interview Summary Record (PTOL - 413)
32	03-13-1998	Notice of Appeal Filed
31	03-24-1998	Date Forwarded to Examiner
30	03-13-1998	Amendment after Final Rejection
29	03-13-1998	Request for Extension of Time - Granted
28	09-16-1997	Mail Final Rejection (PTOL - 326)
27	09-15-1997	Final Rejection
26	07-18-1997	CRF Is Good Technically / Entered into Database
25	07-03-1997	CRF Disk Has Been Received by Preexam / Group / PCT

24	07-03-1997	Date Forwarded to Examiner
23	05-28-1997	Response after Non-Final Action
22	05-28-1997	Request for Extension of Time - Granted
21	04-18-1997	Information Disclosure Statement (IDS) Filed
20	01-23-1997	Information Disclosure Statement (IDS) Filed
19	02-04-1997	Mail Non-Final Rejection
18	02-03-1997	Non-Final Rejection
17	01-16-1997	Date Forwarded to Examiner
16	12-30-1996	Response to Election / Restriction Filed
15	12-30-1996	Request for Extension of Time - Granted
14	01-16-1997	Communication - Re: Power of Attorney (PTOL-308)
13	12-20-1996	Change in Power of Attorney (May Include Associate POA)
12	10-07-1996	Miscellaneous Incoming Letter
11	09-30-1996	Mail Restriction Requirement
10	09-27-1996	Requirement for Restriction / Election
9	03-13-1996	Case Docketed to Examiner in GAU
8	02-06-1996	CRF Is Good Technically / Entered into Database
7	02-02-1996	CRF Disk Has Been Received by Preexam / Group / PCT
6	08-25-1995	Preliminary Amendment
5	11-03-1995	Application Is Now Complete
4	08-09-1995	Case Docketed to Examiner in GAU
3	07-21-1995	Application Captured on Microfilm
2	11-04-1997	Preexamination Location Change
1	07-19-1995	Notice Mailed--Application Incomplete--Filing Date Assigned

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